

## INITIAL CONFERENCE QUESTIONNAIRE

**CASE NAME:** Clarke v. R.T.D. 52 L.L.C. et al **DOCKET NO.:** 20-cv-00122-EK-RML

1. Date for completion of automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, if not yet made: 6/24/2020
2. If additional interrogatories beyond the 25 permitted under Rule 33(a) of the Federal Rules of Civil Procedure are needed, the maximum number by:  
 plaintiff(s) \_\_\_\_\_ and defendant(s) \_\_\_\_\_
3. Maximum number of requests for admission by: plaintiff(s) 10 and defendant(s) 10
4. Number of depositions by plaintiff(s) of: parties 4\* non-parties 2 5. Number of  
 depositions by defendant(s) of: parties 2 non-parties 2 \*Defendants respectfully object to Plaintiff's request for four (4) party depositions
6. Time limits for depositions: Per Fed.R.Civ.Pro
7. Date for completion of factual discovery: 10/26/2020
8. Number of expert witnesses of plaintiff(s): 0 medical 3\* non-medical  
 Date for expert report(s): 11/30/2020 \*Defendants respectfully object to Plaintiff's request for four (4) party depositions
9. Number of expert witnesses of defendant(s): 0 medical 2 non-medical  
 Date for expert report(s): 11/30/2020
10. Date for completion of expert discovery: 1/25/2021
11. Time for amendment of the pleadings by plaintiff(s) 9/28/2020 or by  
 defendant(s) \_\_\_\_\_
12. Number of proposed additional parties to be joined by plaintiff(s) 2 and by  
 defendant(s) 0 and time for completion of joinder: \_\_\_\_\_
13. Types of contemplated dispositive motions: plaintiff(s): \_\_\_\_\_ defendant(s):  
Motion for Summary Judgment
14. Dates for filing contemplated dispositive motions: plaintiff(s): \_\_\_\_\_  
 defendant(s): \_\_\_\_\_ 3/15/2021
15. Have counsel reached any agreements regarding electronic discovery? If so, please  
 describe at the initial conference.

16. Will the parties \*consent to trial before a magistrate judge pursuant to 28 U.S.C. §636?  
(Answer no if any party declines to consent without indicating which party has declined.)  
Yes \_\_\_ No ☒

17. This case should be ordered to arbitration at the close of discovery <sup>No</sup>\_\_\_\_\_ (yes/no)

18. This case should be ordered to mediation (now or at a later date) \_\_\_\_\_ (yes/no)  
(Prior to the Initial Conference, counsel shall discuss with their clients and their adversaries whether arbitration or mediation is appropriate in this case and be prepared to explain their reasons to the court)

Defendants' request an immediate referral to a Magistrate Judge for purposes of a Settlement Conference

Plaintiff's request a referral to this Court's mediation program

\* The fillable consent form AO 85 may be found at [https://www.nyed.uscourts.gov/forms/all-forms/general\\_forms](https://www.nyed.uscourts.gov/forms/all-forms/general_forms) and may be filed electronically upon completion prior to the initial conference, or brought to the initial conference and presented to the Court for processing.